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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,765	08/24/2001	Reiji Seki	44085-156	8950

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WASHINGTON, DC 20005-3096

EXAMINER

DALAKIS, MICHAEL

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 01/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

09/935,765

Applicant(s)

SEKI ET AL.

Examiner

Michael Dalakis

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 18 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 12-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I (claims 1-11) in Paper No. 8 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are replete with unclear and confusing language that renders the aforementioned claims indefinite. It appears to the Examiner that the claims have been imprecisely translated, leaving what is claimed unclear and indefinite. The Applicant is directed to the following recitations the Examiner finds vague and indefinite:

In claim 1, "...display forms of which are different to each other...", "...to display the one selected by the selector, and at a time of switching on the camera, to display a display mode which has been displayed at a time of switching off the camera previously."

In claim 3, "...in a display form including graphical displaying representation."

In claim 4, "list-up display mode".

In claim 5, "...the information listed up in the list-up display mode..."

In claim 7, "only information about by letter can be enlarged..."

All of claim 8 is confusing and unclear.

In claim 9, the term “just before” is vague and indefinite.

In claim 11, it is unclear as to what “the one” is referring in the phrase “...to display with the one selected by the language selector...”

The Applicant should take note that the examples highlighted above are not intended to address each and every instance of vague and indefinite language in the claims. The incidents of indefinite language are too numerous to mention individually.

Claim Rejections - 35 USC § 103

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukuhara in view of Ogawa. Tsukuhara discloses all that is claimed including a mode selector 1 displaying a selected mode on displays 12 and 42 (column 3, lines 40-42), multi-tiered display modes and listed display modes (Figure 6), graphical representations of camera information (the menus displayed in displays 12 and 42 as shown in Figures 6 and 7), display timers 5 and display language selection (step S51 in Figure 11).

Tsukuhara also discloses displaying the film frame number on data display 42 as standard information in all display modes (see steps S6, S24 and S34). Furthermore, in the controller of Tsukuhara, the multi-tiered display modes return to display to the display mode displayed after displaying the sub-display modes (second and third hierarchy menus). The display is returned to the display mode after the predetermined time elapses between the operational steps S5 and S6. (Column 5, line 55 through column 6, line 13).

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Tsukuhara fails to explicitly teach or suggest a dot matrix display and the feature of, upon restoration of power to the camera, restoring the display mode displayed on the camera display at the time the camera power was shut off.

Tsukuhara does, however, disclose applying the claimed display controller to components other than LCD backlights. Further, dot matrix displays are well-known in the art of camera display units, including dot matrix displays as part of LCD display units. Tsukuhara also teaches power saving means within the camera while Ogawa specifically discloses restoring the display status set at the time the camera power was shut off to the camera display upon restoration of camera power. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the display restoration control of Ogawa in the power saving means of Tsukuhara to improve the operability of the camera.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant is specifically directed to US Patent Number 6,341,201 to Ishiguru et al. disclosing an LCD display having dot matrix display portions. (Column 10, lines 30-57).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Dalakis whose telephone number is 703.305.4021. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703-308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9318 for regular communications and 703.872.9319 for After Final communications.

Application/Control Number: 09/935,765

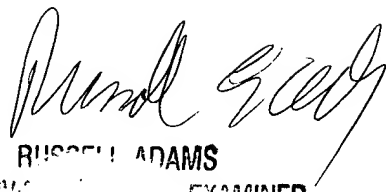
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.872.9317.

MD

December 31, 2002


RUSSELL ADAMS
SUPERVISOR, EXAMINER
TECHNOLOGY CENTER 2800